

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2262

IN THE MATTER OF:

Served October 14, 1981

Investigation of Unauthorized)
Operations and Charges by WEBB)
TOURS, INC.)

Case No. MP-81-11

Pursuant to the Compact, Title II, Article XII, Section 13(b) "The Commission may investigate any facts, conditions, practices, or matters which it may find necessary or proper in order to determine whether any person has violated or is about to violate any provision of this Act or any rule, regulation, or order thereunder, or to aid in the enforcement of the provisions of this Act"

Webb Tours, Inc. (Webb), is authorized by the Commission in Certificate No. 33 to transport passengers, over irregular routes, as follows:

- A. Charter Operations, round-trip sightseeing or pleasure tours, between points in the Metropolitan District.
- B. Special Operations, limited to sightseeing or pleasure tours,
 - (1) between points in the District of Columbia, City of Alexandria, Va., and Arlington County, Va., and
 - (2) from points in the District of Columbia to Mount Vernon, Va., and return.
- C. Special Operations, limited to shuttle service for sightseeing tours in B above, as an incidence thereto and not to include any sightseeing, from points in the Metropolitan District to join such tours, and return.

The service in A and B above is restricted to the performance of such operations in British manufactured double-deck buses. The service in C above is restricted to the performance of such operations in vehicles with a manufacturer's designed seating capacity of not more than 15 passengers, excluding the driver. Webb has a corresponding tariff on file, WMATC Tariff No. 1, listing its rules, regulations and charges.

The staff of the Commission has informally determined by telephone inquiry that Webb is charging charter rates (\$41.25 per hour) higher than its published rate in WMATC Tariff No. 1 of the greater of \$0.85 per mile or \$25 per hour. In addition, the special operations fares contained in Webb's brochures available at various local hotels and motels are in excess of the fares set forth in its existing tariff as follows:

<u>Tour (per tariff)</u>	<u>Tariff Fare</u>	<u>Brochure Fare</u>
Building Tour	\$ 9 - adults	\$14
	4.50 - children	7
City and Arlington	9 - adults	14
	4.50 - children	7
Night City	9 - adults	14
	4.50 - children	7
Regular Combination Tour	15 - adults	25
	7.50 - children	12.50

The brochure lists a tour of Mt. Vernon and Old Town Alexandria not contained in Webb's tariff on file with the Commission. The Commission has also received credible information that Webb is providing special operations sightseeing service from points outside the territory specified in Section B of its certificate in double-deck buses.

In order to determine whether violations of the Compact have occurred, the Commission concludes that there appear to be reasonable grounds for instituting an investigation into the matters recited above. Webb will be directed to produce books, papers, contracts, and any other records which are relevant to the investigation, pursuant to Title II, Article XII, Section 19(a) of the Compact.

THEREFORE, IT IS ORDERED:

1. That an investigation of the matters set forth above is hereby instituted.

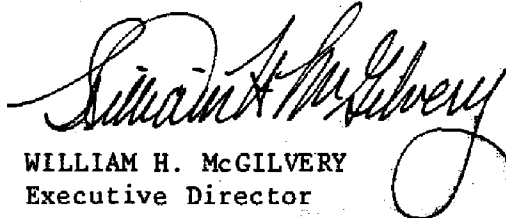
2. That Webb Tours, Inc., is hereby made a party respondent to this proceeding.

3. That the above-docketed matter is hereby scheduled for public hearing to commence Tuesday, November 10, 1981, at 9:30 a.m. in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

4. That Webb Tours, Inc., is hereby directed to produce for inspection and photocopying any and all books, papers, contracts, account records and correspondence in its possession or under its control for the period March 1, 1981, through September 30, 1981, relating to the alleged activities set forth above at the office of the Commission, Suite 316, 1625 I Street, N. W., Washington, D. C. 20006, no later than 10:00 a.m., Monday, October 26, 1981.

5. That Webb Tours, Inc., is hereby assessed \$500 pursuant to Title II, Article XII, Section 19 of the Compact, and directed to deliver said amount to the office of the Commission, Suite 316, 1625 I Street, N. W., Washington, D. C. 20006, no later than 10:00 a.m., Monday, October 26, 1981.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS CLEMENT, SCHIFTER AND SHANNON:


WILLIAM H. MCGILVERY
Executive Director